

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:

TONY GLENN,

Complainant,

VS.

THE PEOPLES GAS, LIGHT & COKE  
COMPANY,

Respondent,

Complaint as to billing/charges)  
in Chicago, Illinois. )

Chicago, Illinois  
March 20, 2003

Met pursuant to notice at 10:00 a.m.

BEFORE :

JOHN RILEY, Administrative Law Judge.

APPEARANCES:

MR. TONY GLENN

11127 South Homewood  
Chicago, Illinois 60643

Appearing pro se for the Complainant;

MR. PETER BRIGIDA

130 East Randolph Drive  
Chicago, Illinois 60601

Appearing for the Respondent.

SULLIVAN REPORTING COMPANY, by  
Steven T. Stefanik, CSR



1 JUDGE RILEY: Pursuant to the direction of the  
2 Illinois Commerce Commission, I now call Docket  
3 02-0576. This is a complaint by Tony Glenn versus  
4 the Peoples Gas, Light and Coke Company as to  
5 billing and charges in Chicago, Illinois.

6 Counsel for Peoples, would you enter an  
7 appearance for the record, please.

8 MR. BRIGIDA: Peter Brigida on behalf of the  
9 Peoples Gas, Light and Coke Company, 130 East  
10 Randolph Drive, Chicago, Illinois 60601.

11 The telephone number is (312) 240-4461.

12 MR. RILEY: Okay. And, Mr. Glenn, would you  
13 enter an appearance for yourself, please.

14 MR. TONY GLENN: Tony Glenn. Address is 11127  
15 South Homewood, Chicago, Illinois 60643. Phone  
16 number is (773) 233-3980.

17 JUDGE RILEY: And it's my understanding you're  
18 still proceeding without counsel in this matter; is  
19 that correct?

20 MR. TONY GLENN: Correct.

21 JUDGE RILEY: All right. The way -- I had  
22 originally set this date for hearing and we have

1    been sidetracked by the matter of data requests.

2                   Counsel, you had sent Mr. Glenn 25 data

3    requests.

4           MR. BRIGIDA:    Yes.

5           JUDGE RILEY:    And you had indicated that the

6    answers that you had received back were

7    unsatisfactory.

8           MR. BRIGIDA:    Yes.

9           JUDGE RILEY:    All right.  Mr. Glenn, you, in

10   turn, have just recently submitted data requests to

11   Mr. Brigida.

12          MR. TONY GLENN:   Yes.

13          JUDGE RILEY:    And Mr. Brigida indicated that he

14   would hold an objection in abeyance until he saw

15   them.

16          MR. TONY GLENN:   Hm-hmm.

17          JUDGE RILEY:    But he was not going to waive his

18   objection.

19                   And you also stated at our last

20   session -- this was on March 11.

21          MR. TONY GLENN:   Hm-hmm.

22          JUDGE RILEY:    -- that -- oh, all this in a

1 conversation we had -- telephone conversation that  
2 we had on March 11 -- that you would try and  
3 provide more complete answers to the data requests  
4 that Mr. Brigida had sent you.

5 Now, starting with Mr. Brigida's  
6 requests, did you submit additional responses or  
7 supplemental responses to those requests?

8 MR. TONY GLENN: No, I haven't.

9 As I mentioned to him when I got here,  
10 Judge, I'm just going -- I mean, what he's asking  
11 for is just going to take some time to get, and  
12 that's the only thing I can see to move forward on  
13 his data requests.

14 I thought I had answered it in  
15 compliance with what I knew and thought, and we  
16 just had a discussion this morning as to reference  
17 the year of '96 when I was not living in the  
18 country.

19 And opposed to the other additional  
20 address and times that -- I think the year of '92  
21 to '93. It's just going to take some time for me  
22 and I don't even know if I have those return -- tax

1 returns for that.

2 I mean, I've entered two of the most  
3 important identifications that you could, Illinois  
4 driver's license and my passport. So I'm just  
5 going to need time.

6 JUDGE RILEY: All right. Let me go back to --  
7 how much more time?

8 MR. TONY GLENN: Well, here again, I mean, I'm  
9 scheduled for a trip hopefully to Jamaica sometime  
10 in April; but here again, I have bank accounts  
11 there and certainly had at the time.

12 In order for me to get those records,  
13 it's like pulling teeth from a lion. You know,  
14 it's a third-world country. They don't move as  
15 fast as we are, and that would be the only way I  
16 can get that information in reference to me living  
17 outside the country --

18 JUDGE RILEY: All right.

19 MR. TONY GLENN: -- during that time.

20 JUDGE RILEY: What I want to do is -- is it  
21 your statement then that you intend to fully comply  
22 with the data requests that he --

1       MR. TONY GLENN:    I'm going to try and comply  
2   with everything he asked here in reference to what  
3   I can really supply to him.

4               And the year, like I explained to him  
5   about the '96 tax return, I wasn't even here.  So I  
6   don't have a tax return for that year.

7       JUDGE RILEY:    Well, it's my understanding from  
8   my notes that you were a resident of Jamaica.

9       MR. TONY GLENN:    Yeah, I wasn't a resident.  I  
10   was just living there --

11       JUDGE RILEY:    You were living in Jamaica.

12       MR. TONY GLENN:    -- yes, correct.

13       JUDGE RILEY:    Hold on a minute.

14       MR. TONY GLENN:    Not a resident from December  
15   15th of '95 --

16       JUDGE RILEY:    To August of 2000.

17       MR. TONY GLENN:    Correct.

18       JUDGE RILEY:    All right.

19               Did you file tax returns in the  
20   United States for any of those years?

21       MR. TONY GLENN:    No.  Only years I filed tax  
22   returns, which was separate -- which was the

1 partnership real estate deal I had here, which I  
2 earned me money from '96, '97 and '98. When I got  
3 back -- when I -- and I just recently filed a  
4 return in the year 2000.

5 JUDGE RILEY: All right. I realize that 13  
6 years of tax returns is a fairly substantial  
7 request.

8 Does the IRS, to your knowledge, have  
9 that information?

10 MR. TONY GLENN: I mean, I haven't even  
11 looked --

12 JUDGE RILEY: Do you have those records, for  
13 one thing?

14 MR. TONY GLENN: No, I don't have any -- only  
15 records I have right now in my hands are from my  
16 tax returns from '98 up.

17 And I would really, really have to  
18 search hard and try and figure out who did my taxes  
19 back then; track those people down and see if I  
20 have copies that I just don't --

21 JUDGE RILEY: Or contact the IRS and see if you  
22 can get computerized --



1       MR. TONY GLENN:    Yeah.  Yeah.  I would do that  
2   as well.

3       JUDGE RILEY:    And then they have a database  
4   that they can just print out.

5       MR. TONY GLENN:    Okay.

6       JUDGE RILEY:    That would be easy, but 13 years,  
7   again, that is a very substantial order.

8                 It's -- I mean, Counsel, I have a  
9   mortgage and I don't keep 13 years.

10      MR. BRIGIDA:    Again, but in terms of the time  
11   frame we're talking about here, the disputed time  
12   frame, that's when it goes back to.

13      JUDGE RILEY:    I understand.  Right.

14                 That was the other thing I wanted to ask  
15   you is that your data requests go back to January  
16   of '89, and it was my understanding from my notes,  
17   and correct me if I'm wrong, but I thought that the  
18   Kenmore billings began in January of 1990 and went  
19   through to July of '93.

20      MR. TONY GLENN:    That is correct.  That's  
21   information I got from the gas company --

22      JUDGE RILEY:    Okay.  I know.  I'm asking

1 Mr. Brigida.

2 MR. TONY GLENN: Oh, I'm sorry.

3 MR. BRIGIDA: You said Kenmore?

4 JUDGE RILEY: Right. The Kenmore billings  
5 began in January of 1990 and went through July of  
6 '93.

7 MR. BRIGIDA: Actually, it looks like they did  
8 start in 1990, but I do want to establish where he  
9 was living immediately prior to, to the time frame  
10 in question.

11 JUDGE RILEY: All right.

12 Now, the data requests 4, 5, 6 and 7,  
13 you said were not in your possession. That was  
14 your response.

15 MR. TONY GLENN: Yes. 4, 5, 6 and 7.

16 JUDGE RILEY: I want to go back to the -- to  
17 these buildings that were billed for --

18 MR. TONY GLENN: Yes.

19 JUDGE RILEY: -- at 4341 North Kenmore and 2146  
20 North Spaulding.

21 Did you contact or attempt to find the  
22 owners of these buildings now?

1 MR. TONY GLENN: I had tried to contact the  
2 Kenmore property, which is now condominiums and has  
3 been for the last -- from what I was told, for the  
4 last 10 to 12 years.

5 JUDGE RILEY: All right.

6 MR. TONY GLENN: I had not made any, in  
7 response -- any effort to try and contact the other  
8 one -- address.

9 JUDGE RILEY: You have no idea who the building  
10 owner was or where that individual might be?

11 MR. TONY GLENN: No. No. I mean, a title  
12 search could possibly be done to find out who  
13 actually owns the building and -- but I didn't go  
14 that far to do that.

15 JUDGE RILEY: Would you be willing to do that?

16 In other words, what I'm saying is that  
17 I don't even know if those records would still be  
18 available.

19 MR. TONY GLENN: Right.

20 JUDGE RILEY: What it amounts to is that you  
21 are trying to establish in your complaint that you  
22 did not live at these addresses.

1 MR. TONY GLENN: Correct.

2 JUDGE RILEY: Somehow Peoples Gas has you at  
3 these addresses and this is the type of  
4 documentation that you're going to need --

5 MR. TONY GLENN: Okay.

6 JUDGE RILEY: -- to prove your complaint.

7 MR. TONY GLENN: Okay.

8 JUDGE RILEY: This is what you're going to have  
9 to do:

10 We have been at this for six months now  
11 and it's almost like we're starting over.

12 What did you do with regard to the 2446  
13 (sic) North Spaulding address?

14 MR. TONY GLENN: I didn't do anything there in  
15 terms of I haven't contacted or gone door to door  
16 and knocked on the door and find out -- I haven't  
17 done that.

18 JUDGE RILEY: In other words, you're going to  
19 have to find out who the owner of that building was  
20 at that time.

21 MR. TONY GLENN: Okay.

22 JUDGE RILEY: And find out what lease agreement

1 or other documentation would have your name and  
2 Social Security number.

3 MR. TONY GLENN: Right.

4 JUDGE RILEY: Because that apparently is the  
5 link --

6 MR. TONY GLENN: Right.

7 JUDGE RILEY: -- that Peoples Gas has that has  
8 resulted in these billings.

9 MR. TONY GLENN: Well, that's what I'm saying.  
10 Do they have the actual -- is there a  
11 lease that they have, Peter?

12 JUDGE RILEY: Well, excuse me.

13 MR. TONY GLENN: I'm sorry.

14 JUDGE RILEY: What lease are you talking about?

15 MR. TONY GLENN: Well, I don't know. You  
16 said --

17 JUDGE RILEY: No, it would be a lease that  
18 someone signed with your name on it to get --

19 MR. TONY GLENN: Oh, okay.

20 JUDGE RILEY: -- at those buildings.

21 MR. TONY GLENN: Oh, okay. Oh, okay. Okay.  
22 I understand, Judge.

1 JUDGE RILEY: Peoples Gas wouldn't have a  
2 lease.

3 MR. TONY GLENN: Okay. Gotcha. Gotcha. I  
4 understand.

5 JUDGE RILEY: Let me go back again -- well, the  
6 other thing I want to do, there's one quick thing I  
7 noted in your complaint.

8 MR. TONY GLENN: Yes.

9 JUDGE RILEY: -- is that you had this -- you  
10 had a figure. It says, So I had a balance of 345  
11 owing on my account. Is that \$345.

12 MR. TONY GLENN: \$3.45.

13 JUDGE RILEY: \$3.45.

14 MR. TONY GLENN: Yes.

15 JUDGE RILEY: Okay. And subsequent to that is  
16 when you received a bill for a  
17 thousand-sixty-five-fifty-six.

18 MR. TONY GLENN: Correct.

19 JUDGE RILEY: All right.

20 And that's when you found out you were  
21 being billed for these other two addresses.

22 MR. TONY GLENN: Correct.

1 JUDGE RILEY: With regard to the data request,  
2 No. 21, where you identify your -- this is your  
3 ex-spouse as Claudia Tucker.

4 MR. TONY GLENN: Yes.

5 JUDGE RILEY: Do you know if it's -- is there a  
6 possibility that Ms. Tucker had used your name to  
7 live at either one of those addresses?

8 MR. TONY GLENN: No, because after we were  
9 divorced, she had since and prior to that moved out  
10 to Arizona and been living there since.

11 JUDGE RILEY: Okay.

12 MR. TONY GLENN: So there's no way possible  
13 that she could have done that.

14 JUDGE RILEY: Right.

15 Counsel, let me ask you with regard to  
16 your data request.

17 MR. BRIGIDA: Yes.

18 JUDGE RILEY: Passport and a birth  
19 certificate -- not passport. The birth certificate  
20 and Social Security card.

21 MR. BRIGIDA: Hm-hmm.

22 JUDGE RILEY: I understand the Social Security

1 card. What relevance is the birth certificate?

2 MR. BRIGIDA: That could help us in terms of

3 trying to gather more information in terms of where

4 he did live, where he didn't live, you know,

5 other -- you know, other -- other service accounts

6 that he did have either with us or other utilities.

7 JUDGE RILEY: Okay.

8 Mr. Glenn, is it my understanding that

9 your first name is Tony and it's not Anthony?

10 MR. TONY GLENN: That is correct.

11 JUDGE RILEY: It's T-o-n-y.

12 MR. TONY GLENN: T-o-n-y; Glenn, G-l-e-n-n.

13 JUDGE RILEY: And is there any middle name or

14 initial?

15 MR. TONY GLENN: None.

16 JUDGE RILEY: All right.

17 And that has been your name your entire

18 life?

19 MR. TONY GLENN: Absolutely.

20 JUDGE RILEY: Okay. I'm going to request

21 No. 3. I don't know if we've gone over this

22 before, but you have, Not in complainant's



1 possession, on data request 3 through 7.

2                   And, as a matter of fact, starting with  
3 data request No. 2, you had responded that your  
4 prior addresses that you had lived at from January  
5 '89 through the present was not relevant and I  
6 think it is relevant and it goes right to the heart  
7 of what Peoples is trying to establish, whether or  
8 not you lived at Spaulding and Kenmore, as they  
9 allege.

10                   So once you can give them a list of the  
11 addresses and the dates that you lived there from  
12 January '89 through the present as well as you can  
13 remember, as thoroughly as you can remember.

14                   It's my understanding that data requests  
15 3 through 7 -- well, there is some of the  
16 documentation requested.

17       MR. TONY GLENN:   Please list all credit cards  
18 accounts held by complainant any time from January  
19 through -- I mean, that stuff --

20       JUDGE RILEY:    Again, as thoroughly as you can  
21 remember.

22       MR. TONY GLENN:   Oh, okay.   Okay.

1 JUDGE RILEY: I realize it is detailed.

2 I can't go back and remember what credit  
3 cards I had back in January of '89. It was 13  
4 years ago -- 14 years ago.

5 MR. TONY GLENN: Sure. Okay.

6 JUDGE RILEY: But, again, on data request No. 5  
7 for each address listed in response to No. 2 above,  
8 please list whether complainant owned or rented  
9 such premises and provide the method of payment of  
10 any mortgage or rent.

11 MR. TONY GLENN: That's No. 5?

12 JUDGE RILEY: Right. Now, up to that point,  
13 there aren't any documents -- there aren't any  
14 documents requested. He just simply wants you to  
15 list these addresses and how you paid for them.

16 MR. TONY GLENN: Okay.

17 JUDGE RILEY: And then copies of all documents  
18 evidencing such mortgage or rental payments, and  
19 those are the leases that we were talking about, to  
20 see if you can find out who these owners are  
21 through a title search, and see if those records  
22 are available.

1 MR. TONY GLENN: Okay.

2 JUDGE RILEY: Did you own any property at the  
3 time alleged in the -- at the time you allegedly  
4 were at either one of these addresses?

5 MR. TONY GLENN: No.

6 JUDGE RILEY: Okay. So, that would be simply a  
7 statement in response as part of your response to  
8 No. 5 is that you were not a property owner at any  
9 time --

10 MR. TONY GLENN: Right. Hm-hmm.

11 JUDGE RILEY: -- during the period in question  
12 here.

13 How much time are you going to need, do  
14 you think to comply?

15 MR. TONY GLENN: If I got to get some  
16 information from overseas, I mean, it's --

17 JUDGE RILEY: Did you say you were scheduled to  
18 go to Jamaica?

19 MR. TONY GLENN: Well, I got a trip scheduled  
20 to go in April.

21 JUDGE RILEY: Okay.

22 MR. TONY GLENN: And that, you know, will

1   probably be a lot quicker than trying to, you know,  
2   send for the documentation or request it.

3       JUDGE RILEY:    Right.  Or if you had the  
4   documentation, you had that -- the written requests  
5   made out that you could just present to the bank.

6       MR. TONY GLENN:   Right.  Exactly.

7                   And then I can go -- then again, Judge,  
8   I've lived there for five years.  When I give that  
9   information, unlike here, I'll expect to have it in  
10  a day or two, they may tell me a month or two.

11       JUDGE RILEY:    Okay.

12       MR. TONY GLENN:   So that's really a -- that's a  
13  tough one right there.  I really can't even answer  
14  how long it would take to come up with  
15  documentation for that.

16       JUDGE RILEY:    Well, we're going to have to set  
17  a time frame eventually, which we will do.

18                   You have, Not relevant, to data request  
19  No. 11.

20       MR. TONY GLENN:   Yeah, because I've been  
21  self-employed for the last 15 years of my life.

22       JUDGE RILEY:    Well, that's -- that's -- it's

1 still a relevant question then. The response would  
2 be that you have been self-employed.

3 And all he wants you to do is describe  
4 in what business and where you've been working,  
5 that kind of thing. So it is -- relevance is not  
6 the question.

7 And with regard to 12 and 13, these  
8 police reports --

9 MR. TONY GLENN: Yeah.

10 JUDGE RILEY: -- what did the police say to  
11 you?

12 MR. TONY GLENN: I can't even remember, Judge.

13 You're talking about recently or back  
14 then when I --

15 JUDGE RILEY: No, no. I mean, when you most  
16 recently tried to get a copy of these police  
17 reports.

18 MR. TONY GLENN: Well, what'd they say? Oh,  
19 they doubt they even have them. They don't go --  
20 they don't even know if they go back that far, keep  
21 that record on the files like that.

22 JUDGE RILEY: Now, this was approximately March

1 of '93 where you say you lost the driver's license?

2 MR. TONY GLENN: Yeah, or my wallet was stolen

3 or --

4 JUDGE RILEY: Okay. Well, I can understand how

5 that might result in somebody using your name --

6 well --

7 MR. TONY GLENN: Oh, yeah. Well, they got --

8 they're using it, got stopped by the police

9 officer. Next thing I know, I come in town and I

10 get stopped for a red light, and next thing I know,

11 I got a warrant out for my arrest. And I'm saying,

12 Well, what happened? And at the time this

13 happened, I wasn't even in the country.

14 JUDGE RILEY: Well, are you sure that it was in

15 March of '93 that you -- or about that time that

16 you lost your wallet?

17 MR. TONY GLENN: I believe that's around the

18 same -- around that time.

19 JUDGE RILEY: Okay.

20 MR. TONY GLENN: I'm not really sure because I

21 have no -- no paperwork on it.

22 JUDGE RILEY: Okay. Because the billings from

1 the Kenmore address started in January of '90.

2 MR. TONY GLENN: Okay.

3 JUDGE RILEY: So that was long before the

4 wallet was lost.

5 MR. TONY GLENN: Okay.

6 JUDGE RILEY: And then it's two years after or

7 two and a half years after you would have made that

8 report that the billings started to show up for the

9 Spaulding address.

10 So I don't know if it was -- if that was

11 based on information they would have obtained from

12 your wallet or not.

13 MR. TONY GLENN: Hm-hmm.

14 JUDGE RILEY: But, anyway, is there any

15 possibility -- well, if you can't pinpoint the

16 time.

17 MR. TONY GLENN: I can't -- that's some time

18 ago and I wasn't even the one. I mean, I came in

19 to defend myself on behalf of somebody who had

20 gotten a hold of my driver's license and

21 practically my wallet with all my information.

22 MR. BRIGIDA: Judge, can I ask one thing here?

1 JUDGE RILEY: Certainly.

2 MR. BRIGIDA: If there were these problems

3 with -- in terms of tickets that you received for

4 someone else using your driver's license, I assume

5 that you had to go to court for something --

6 MR. TONY GLENN: Had to go to court for that.

7 MR. BRIGIDA: So I assume there'd be court

8 records.

9 MR. TONY GLENN: Yeah, I would imagine.

10 MR. BRIGIDA: Okay.

11 JUDGE RILEY: And that was why you were

12 arrested is because someone had run up --

13 MR. TONY GLENN: No, I had --

14 JUDGE RILEY: -- a series of tickets?

15 MR. TONY GLENN: No. They pulled me over

16 because I made a right turn on no turn between 7:00

17 and 7:00.

18 JUDGE RILEY: Okay. Right. Right.

19 MR. TONY GLENN: When I made the right turn, he

20 ask for my driver's license. He went back to the

21 car. I came back to the car and he said, Follow me

22 to the station. And I said, For what? I said, I



1 just thought I turned, you know, just on the red.  
2 He said, No, there's a warrant out for your arrest.

3 So this happened at -- I was near the  
4 Water Tower, so we went into the police station on  
5 Chicago Avenue.

6 JUDGE RILEY: Okay.

7 MR. TONY GLENN: And that's where they had  
8 arrested me. And, apparently, because whoever had  
9 my driver's license at the time and perpetrated  
10 they were me, had three outstanding tickets.

11 JUDGE RILEY: Okay.

12 MR. TONY GLENN: The three tickets that were --  
13 that I was facing, and that's why the warrant was  
14 out, because they had missed a court date.

15 JUDGE RILEY: All right.

16 MR. TONY GLENN: And I had no recollection at  
17 the time and that's what brought this thing on.

18 JUDGE RILEY: All right.

19 MR. TONY GLENN: So you're suggesting that I go  
20 to the courts and try and get those files?

21 JUDGE RILEY: See if the Circuit Court clerk  
22 can produce records with regard to the court

1 appearance.

2 MR. TONY GLENN: Okay.

3 JUDGE RILEY: That will at least help pinpoint

4 the date.

5 MR. TONY GLENN: Okay.

6 JUDGE RILEY: Let me double-check one other

7 thing very early on in this matter.

8 You gave your Social Security number as

9 XXX-XX-XXXX?

10 MR. TONY GLENN: That's correct.

11 JUDGE RILEY: And it's the only Social Security

12 number you've ever had?

13 MR. TONY GLENN: Absolutely.

14 JUDGE RILEY: All right. Is that the Social

15 Security number that Peoples Gas had?

16 MR. TONY GLENN: No.

17 JUDGE RILEY: They had a different Social

18 Security number?

19 MR. TONY GLENN: They had a different Social

20 Security number, and that's what my argument was

21 about when this whole thing happened.

22 They had sent me my regular bill --

1 JUDGE RILEY: All right.

2 MR. TONY GLENN: -- for \$3.00 and some change  
3 after the fact that they had told me on the phone  
4 that, Mr. Glenn, hold on a second. I said, What's  
5 wrong? He said, Give me your Social Security  
6 number. He came back to the phone. He said, Okay.  
7 No problem. That is not the number. And I asked  
8 them then.

9 JUDGE RILEY: All right.

10 MR. TONY GLENN: And he had told me then that  
11 this was based on a different Social Security  
12 number at these addresses.

13 He said to me on the phone then and  
14 that's why he said don't worry about that. I've  
15 taken care of it. I didn't get the gentleman's  
16 name at the time. And that's why they sent me the  
17 regular bill -- my regular bill for the next month  
18 or two on just what I owed, which is \$3.99 or 3.45.

19 And these are summer months, June and  
20 July, I believe.

21 JUDGE RILEY: And it was subsequent to that  
22 that you got the bill for over a thousand dollars?

1 MR. TONY GLENN: Yes.

2 JUDGE RILEY: And was there anything more said  
3 about a Social Security number?

4 MR. TONY GLENN: No. Well, I went -- I tried  
5 to talk to the chain of command. I talked to the  
6 supervisor, immediate supervisor. At that time,  
7 they had requested that I bring some identification  
8 in and show them where I lived at that time. And I  
9 said, Okay then. Fine.

10 So leading up to that after talking to  
11 the area supervisor again, she appointed (sic) me  
12 to go and file appeal to the ICC and said that they  
13 would be the one that would resolve this.

14 JUDGE RILEY: Okay. But, it was your clear  
15 understanding from the person you talked to back at  
16 Peoples Gas --

17 MR. TONY GLENN: Yes.

18 JUDGE RILEY: -- that when you gave your valid  
19 Social Security number, they said that's not the  
20 Social Security number that's on our records.

21 MR. TONY GLENN: That's correct.

22 JUDGE RILEY: All right.

1                   Did they tell you what Social Security  
2   number was on the record?

3       MR. TONY GLENN:    They didn't.

4                   And I asked him and he said they  
5   couldn't tell me, but that it was not what I just  
6   gave him.

7       JUDGE RILEY:    It was not yours?

8       MR. TONY GLENN:    Correct.

9       JUDGE RILEY:    All right.

10                  Okay. Is there any chance of you making  
11   a second effort with the police department or --

12       MR. TONY GLENN:    Sure.

13       JUDGE RILEY:    -- or they pretty much tell you  
14   just that there was no possibility --

15       MR. TONY GLENN:    Yeah, they told me they don't  
16   even go back that far.

17       JUDGE RILEY:    Do they -- they have a central  
18   record of any kind --

19       MR. TONY GLENN:    I don't --

20       JUDGE RILEY:    -- or is it you'd have to go  
21   police station by police station?

22       MR. TONY GLENN:    Well, I guess my next step

1 would probably be try and go to Chicago Avenue  
2 Police Station --

3 JUDGE RILEY: All right.

4 MR. TONY GLENN: -- first and see if they might  
5 have it on file on microfilm or whatever.

6 JUDGE RILEY: Right. Is there anything that  
7 you can do to try and more accurately pinpoint the  
8 date at the -- of the time that you lost that --  
9 lost your wallet or you made the report about the  
10 lost wallet?

11 MR. TONY GLENN: I'll try and think more, but I  
12 even --

13 JUDGE RILEY: And this was prior to the time  
14 that you went to Jamaica; is that correct?

15 MR. TONY GLENN: Yes.

16 MR. BRIGIDA: Judge, can I point out one other  
17 thing?

18 JUDGE RILEY: Certainly.

19 MR. BRIGIDA: I would think police departments  
20 would keep records of all of their reports, and it  
21 just may be that he's not getting cooperation by  
22 the police department. Just -- it may entail some

1 work.

2                   What he's allowed to do and what I have  
3 no objection to him doing is subpoenaing the  
4 records of the police department. I think that  
5 that would give him more leverage to actually get  
6 these records.

7       JUDGE RILEY:    Okay. That's what I'm thinking  
8 is this is an age of computers. And I think with  
9 the sheer volume of crime and other matters that  
10 the police have to keep track of, that they're  
11 going to keep records for a much longer time,  
12 especially if they can take hard copy paper and put  
13 it onto space-saving items such as disks and  
14 computer chips and whatever.

15                   And I'm -- I wonder if Mr. Brigida is  
16 right; they're just not -- this is a small matter  
17 to them. Therefore --

18       MR. TONY GLENN:   Right.

19       JUDGE RILEY:    -- you know, they're not going to  
20 make much of an effort.

21                   But I would think that they'd be able  
22 to -- if you could pinpoint more accurately the

1 time --

2 MR. TONY GLENN: Okay.

3 JUDGE RILEY: -- that you had made that report.

4 All right. No. 17 were the tax returns.

5 See what you can find out from the IRS again.

6 MR. TONY GLENN: Okay.

7 JUDGE RILEY: See if they don't have a central

8 database that they can --

9 MR. TONY GLENN: Now, from '89 or are we

10 currently interested in from 1990?

11 JUDGE RILEY: Well, for the period of time

12 we're talking in question.

13 MR. TONY GLENN: Okay.

14 JUDGE RILEY: In other words, there's --

15 MR. TONY GLENN: Well, I can just say this now:

16 I and my wife had filed tax returns for '89, '90

17 and possibly '91. I don't know.

18 JUDGE RILEY: Okay. But under any

19 circumstances, your Social Security number would be

20 on there.

21 MR. TONY GLENN: Correct. Oh, absolutely.

22 JUDGE RILEY: Right. Right.



1                   Well, that's pretty much -- except for  
2   the last four here, request No. 22 through 25.  
3   Counsel, I'm going to strike those.

4       MR. BRIGIDA:   Judge, I believe I'm entitled to  
5   those, especially 22, since that is part of the  
6   formal complaint.

7                   There's a space on the formal complaint  
8   that asks that specific information and he's put  
9   not applicable.  Again, that's something I'm  
10   entitled to and I don't know how I can defend my  
11   company's position without knowing what we did and  
12   what we didn't or what violated, you know, whatever  
13   rule.

14       JUDGE RILEY:   Well, let me ask Mr. Glenn.

15                   Would you be able to comply with  
16   responses with request 22 through 25.

17       MR. TONY GLENN:   I can't.

18       JUDGE RILEY:    You can?

19       MR. TONY GLENN:   No, I can't.

20       JUDGE RILEY:    That's --

21       MR. BRIGIDA:    Well, he can't because he's not  
22   an attorney, but that doesn't relieve him of

1 complying with other questions or these questions  
2 simply because he's not an attorney. He has a  
3 right to obtain an attorney.

4 JUDGE RILEY: I understand that.

5 I am not going to hold him to 22 through  
6 25. If you can find a way to comply with 22  
7 through 25, fine.

8 MR. TONY GLENN: Okay.

9 JUDGE RILEY: But if you can't.

10 MR. BRIGIDA: Well, Judge, then I have every  
11 right to move to dismiss this because he has not  
12 filed the proper complaint.

13 JUDGE RILEY: Counsel, I disagree with you.  
14 You know, the rules clearly state he has to list  
15 the specific section of law, Commission rule, order  
16 or utility tariff that we have violated and he's  
17 put not applicable.

18 Well, I don't think he understood the  
19 implications of putting not applicable down.

20 MR. BRIGIDA: Well, again, I'm entitled to know  
21 what section of the rules or Commission orders did  
22 we violate, and I don't know how I can prepare a

1 defense without knowing what it is we are accused  
2 of violating.

3 JUDGE RILEY: I'm -- I mean, the bottom line  
4 is, if he can't answer it, he can't answer it. He  
5 just doesn't know. He says he doesn't know.

6 MR. BRIGIDA: If he doesn't know, he --

7 JUDGE RILEY: Then he should have put I don't  
8 know.

9 MR. BRIGIDA: Well, not even that, but how can  
10 he go forward?

11 I mean, what the Commission has allowed  
12 is to -- it's to give him redress in the instance  
13 where there has been a violation of a Commission  
14 rule, order or a utility tariff. If he can't point  
15 out specifically that there's been a violation, how  
16 can he be entitled to relief?

17 JUDGE RILEY: It doesn't request knowledge of a  
18 violation.

19 In the space below, list the specific  
20 section of law, Commission rules or utility tariffs  
21 that you think is involved with your complaint.

22 MR. BRIGIDA: Hm-hmm.

1 JUDGE RILEY: So he's not alleging a violation.  
2 If you read the complaint, he doesn't say it's a  
3 violation. All he's saying is he didn't live at  
4 these two addresses and, therefore, he shouldn't be  
5 required --

6 MR. BRIGIDA: Again, Judge, you know, I think  
7 the rules are clear in that the ICC is given  
8 jurisdiction to resolve alleged violations of  
9 Commission rules or statutes or utility tariffs.

10 If he's not alleging a violation, then  
11 by definition, he is not entitled to relief.

12 JUDGE RILEY: Yes. No, I disagree with you  
13 entirely there. He still has the right to pursue  
14 the complaint even though -- even though he doesn't  
15 allege a violation of a rule or statute.

16 And it's pretty clear from this, from  
17 the complaint itself, that he's not alleging  
18 necessarily that a rule or a statute was violated.

19 MR. BRIGIDA: Then I don't know how the ICC can  
20 give him any sort of relief if there's no  
21 allegation of a violation of a rule.

22 Again, it's just -- it goes to the

1 jurisdiction of the ICC, and my understanding is  
2 that relief can only be given once there's an  
3 alleged violation.

4 JUDGE RILEY: You've made your point, Counsel,  
5 but I'm still going to disagree with you and I'm  
6 not going to require him to answer 22 through 25.  
7 I'm just not going to require him to do legal  
8 research. If he wants to hire an attorney to do  
9 that, that's certainly --

10 MR. TONY GLENN: No. No.

11 JUDGE RILEY: -- his prerogative.

12 MR. TONY GLENN: No, I don't.

13 JUDGE RILEY: But I'm going to let those four  
14 go for right now. All right. That takes care of  
15 Peoples Gas' data requests.

16 And, again, Mr. Glenn, we're going to  
17 get to scheduling in just a moment.

18 MR. TONY GLENN: Okay.

19 JUDGE RILEY: Let's go to the interrogatories  
20 and requests for documents that you submitted to  
21 Mr. Brigida.

22 Do you have a copy of these?

1 MR. BRIGIDA: I do.

2 JUDGE RILEY: The first thing I want to do,  
3 Mr. Glenn, is that Interrogatory No. 1, you have  
4 during the period January '92 through July '93.  
5 Should we amend that to reflect January of '90?

6 MR. TONY GLENN: Yes.

7 JUDGE RILEY: All right. And the same thing in  
8 document request No. 1. You had inadvertently put  
9 November 1, '95 through September 30, '97. The  
10 Kenmore address was January of '90 through July  
11 '93.

12 MR. TONY GLENN: Okay.

13 JUDGE RILEY: And the same thing for document  
14 request No. 3 should read the period January '90  
15 through July '93 for Kenmore, and document request  
16 No. 5 should read January '90 through July '93 for  
17 the Kenmore address.

18 MR. TONY GLENN: Okay.

19 JUDGE RILEY: And Spaulding, again, we've  
20 decided was November 1, '95 through -- we haven't  
21 decided, but we've established that November 1, '95  
22 through September 30, '97 --

1 MR. TONY GLENN: Okay.

2 JUDGE RILEY: -- is the period for which you  
3 were billed.

4 Now, going over these, Counsel, what is  
5 your response? You had held an objection in  
6 abeyance.

7 MR. BRIGIDA: Yeah, I really need to take some  
8 time and look at these. I just received them five  
9 minutes before the hearing.

10 JUDGE RILEY: Well, you hadn't seen these  
11 before?

12 MR. BRIGIDA: No.

13 JUDGE RILEY: Oh.

14 MR. BRIGIDA: I can't do that now, Judge.

15 I mean, I'm going to have to go back  
16 look at these in detail, determine, you know,  
17 exactly what records are being asked for.

18 JUDGE RILEY: Okay. All right. Let's do this  
19 then:

20 Obviously, we're -- I'm going --  
21 Mr. Glenn, I'm obviously giving you more time to  
22 respond to Counsel's interrogatories, and I don't

1 have a response from Counsel yet, with regard to  
2 the interrogatories you've submitted to him.

3 MR. TONY GLENN: Okay.

4 JUDGE RILEY: What I want to do -- Counsel, how  
5 long do you think it's going to take you to make a  
6 comprehensive study of that? It isn't terribly  
7 involved, I don't think.

8 MR. BRIGIDA: No. A few days.

9 JUDGE RILEY: When are you going to be out of  
10 the country?

11 MR. TONY GLENN: Well, I was scheduled for  
12 April 5.

13 JUDGE RILEY: Okay. You're leaving April 5?

14 MR. TONY GLENN: Yeah, I'm scheduled -- I  
15 haven't finalized the trip yet, because I got a  
16 project that I'm working on, but that's what I  
17 would like, and I'll be gone for about five days.

18 JUDGE RILEY: Okay. So that's approximately  
19 April 5 through April 10.

20 MR. TONY GLENN: Yes.

21 JUDGE RILEY: All right. And today is the  
22 20th.



1       MR. TONY GLENN:    Hm-hmm.  But that's not going  
2   to stop me from trying to get documentation from  
3   there.

4       JUDGE RILEY:     Okay.

5       MR. TONY GLENN:    I'm going to try and send a  
6   certified letter or express a package --

7       JUDGE RILEY:     All right.

8       MR. TONY GLENN:    -- requesting that  
9   information --

10      JUDGE RILEY:     All right.

11      MR. TONY GLENN:    -- as of probably Monday.

12      JUDGE RILEY:     All right.  Can you give me any  
13   kind of a time frame as to how long it's going to  
14   take you to more fully and completely respond to  
15   the data requests that were sent to you by  
16   Peoples Gas?

17      MR. TONY GLENN:    I would say -- today's the  
18   20th?  I would say April 20th.

19      JUDGE RILEY:     You can do that -- you think you  
20   can do that in 30 days even with the five days  
21   you're going to be out of the country?

22      MR. TONY GLENN:    Well, I'm hoping to accomplish

1 those five days trying to get the information  
2 that's -- maybe that's not enough time, Judge.

3 I mean, this is -- and I'm doing this on  
4 my own and I got to go -- I'm back and forth to the  
5 library, law library, trying to do this on my own.

6 JUDGE RILEY: Right. And you're going to  
7 contact police departments and the IRS and  
8 everybody else --

9 MR. TONY GLENN: Yes. Right.

10 JUDGE RILEY: I understand that. Try to track  
11 down --

12 MR. TONY GLENN: Maybe that's not enough time.

13 JUDGE RILEY: Especially, if you're going to be  
14 out of the country for five days.

15 MR. TONY GLENN: Yeah.

16 JUDGE RILEY: Although, I would suggest  
17 strongly that any requests that you would have --

18 MR. TONY GLENN: Turn them in --

19 JUDGE RILEY: -- for any of the banks in  
20 Jamaica or anyone that you had done business with  
21 that would help answer these --

22 MR. TONY GLENN: Yes.

1 JUDGE RILEY: -- answer these requests, that  
2 you would have those ready and maybe deliver them  
3 if you can get there.

4 MR. TONY GLENN: Oh, absolutely.

5 JUDGE RILEY: I don't even know if you're going  
6 to be in the same towns or --

7 MR. TONY GLENN: Yes, I'm going to be in the  
8 same town. I'm going to request those as of  
9 Monday.

10 I might need more time, Judge. How much  
11 time can I have is the question.

12 JUDGE RILEY: Well, Mr. Brigida, do you have  
13 any objection? I know that we've spent an awful  
14 lot of time on this.

15 MR. BRIGIDA: I wouldn't object to a time  
16 period of 45 days or something like that or even  
17 possibly a little bit longer.

18 You know, if he can get the records that  
19 would help us determine, you know, whether we can  
20 settle this or not, I'm all for that. So...

21 MR. TONY GLENN: Okay.

22 JUDGE RILEY: All right. Why don't we --

1   there's one thing I want to do is I want to set a  
2   status from -- I'm jammed next week. Can we do  
3   a telephonic status on Friday the 28th with regard  
4   to the --

5       MR. BRIGIDA:     Sure.

6       JUDGE RILEY:     -- data requests that Mr. Glenn  
7   gave you?

8       MR. BRIGIDA:     Sure.

9       JUDGE RILEY:     10:00 a.m.?

10      MR. TONY GLENN:   Okay.

11      JUDGE RILEY:     And, Mr. Glenn, the phone number  
12   we are going to use to contact you is that cell  
13   phone number?

14      MR. TONY GLENN:   Yes, 312.

15      JUDGE RILEY:     Hold it. I've got it here. Is  
16   that 804-5819?

17      MR. TONY GLENN:   That's correct.

18      JUDGE RILEY:     All right. That's the one that  
19   we -- that's the most reliable number that we  
20   can --

21      MR. TONY GLENN:   Yes.

22      JUDGE RILEY:     All right. All right.

1                   Then we will use that number.   10:00  
2   a.m., did I say?  
3       MR. TONY GLENN:    Hm-hmm.    And that was the  
4   29th?  
5       JUDGE RILEY:    28th, Friday the 28th.  
6       MR. TONY GLENN:    28th.  
7       JUDGE RILEY:    And what I'm thinking is I want to  
8   establish a deadline --  
9       MR. TONY GLENN:    Okay.  
10      JUDGE RILEY:    -- for, again, Mr. Glenn's  
11   responses to your data requests.   See if he can  
12   more completely and fully answer them.  
13      MR. BRIGIDA:    Hm-hmm.  
14      JUDGE RILEY:    But with the amount of research  
15   that I think he's going to need to do, and it's --  
16   I'm going to admonish you, Mr. Glenn, this is what  
17   you should have been doing in the last few months  
18   that you should have been digging out these records  
19   as much as possible, but I'm going to give you one  
20   more bite at the apple.  
21      MR. TONY GLENN:    Okay.  
22      JUDGE RILEY:    If you can start today or

1 tomorrow.

2 MR. TONY GLENN: Hm-hmm.

3 JUDGE RILEY: Why don't I give you the month of  
4 April, and I'll put it -- set a deadline on this  
5 for May 2nd.

6 And, again, that's the deadline for his  
7 responses to the data requests.

8 MR. TONY GLENN: Okay.

9 JUDGE RILEY: And that's an absolute deadline.  
10 And I want to set a hearing date after  
11 that, and that will be an absolute hearing date.  
12 There will be no more continuances.

13 MR. TONY GLENN: Okay.

14 JUDGE RILEY: Whether or not the answers are  
15 regarded as complete by the parties, we will go to  
16 hearing --

17 MR. TONY GLENN: Okay.

18 JUDGE RILEY: -- or not.

19 MR. TONY GLENN: Okay.

20 JUDGE RILEY: That's up to you.

21 Counsel, can you give me any idea how  
22 much time you would need after receiving the

1 responses to digest the information and prepare a  
2 case?

3 MR. BRIGIDA: I'd usually say about three weeks  
4 or so, three to four weeks. I know at the end of  
5 May, there -- I may be taking a few days off.

6 JUDGE RILEY: Okay.

7 MR. BRIGIDA: So...

8 JUDGE RILEY: That would be for Memorial Day,  
9 obviously.

10 MR. BRIGIDA: Around that time, I believe.

11 JUDGE RILEY: Yeah. Well, we could either do  
12 it the last full week in May, sometime between the  
13 19th or the 24th or we can move this into June.

14 What does Thursday, May 22nd look like?  
15 That's not quite three weeks? It's one day short  
16 of three weeks.

17 MR. BRIGIDA: I think that date will work.

18 JUDGE RILEY: I'm sorry?

19 MR. BRIGIDA: I think that date will work.

20 JUDGE RILEY: Okay. May 22?

21 Is that okay with you, Mr. Glenn?

22 MR. TONY GLENN: Sure.

1 JUDGE RILEY: That gives us -- that sets a --  
2 MR. TONY GLENN: So, I have until --  
3 JUDGE RILEY: That's a full two months out for  
4 hearing, so the calendar should be clear.  
5 MR. TONY GLENN: So, I have until May 2nd to  
6 get all my response to the --  
7 JUDGE RILEY: To pull everything together and  
8 get it to Mr. Brigida as we've discussed here.  
9 MR. TONY GLENN: Okay. And then we're set for  
10 hearing no matter what -- for final hearing on  
11 May 22nd?  
12 JUDGE RILEY: Right. And don't hesitate to  
13 call with questions.  
14 MR. TONY GLENN: Sure.  
15 And if I get any data information, I can  
16 forward it onto him beforehand, right?  
17 JUDGE RILEY: Is that --  
18 MR. BRIGIDA: I'd rather have him do everything  
19 at once.  
20 MR. TONY GLENN: Oh, okay.  
21 JUDGE RILEY: Do it all at once? Okay. All  
22 right. Rather than have it come in piecemeal.



1 MR. TONY GLENN: Okay.

2 JUDGE RILEY: So, collect it as best as you  
3 can, as fast as you can, as completely as you can.

4 MR. TONY GLENN: All right.

5 JUDGE RILEY: And we'll see where we are; but  
6 under any circumstances, let me go back and review.  
7 We are going to reconvene by telephone  
8 on Friday, March 28th. That's a week from  
9 tomorrow --

10 MR. TONY GLENN: Okay. Correct.

11 JUDGE RILEY: -- at 10:00 a.m., and we will  
12 discuss the matter of your data requests to  
13 Peoples Gas.

14 MR. TONY GLENN: Okay.

15 JUDGE RILEY: And I will entertain  
16 Mr. Brigida's response and we'll see where we are  
17 with regard to those.

18 MR. BRIGIDA: Judge, can I make one other  
19 request?

20 JUDGE RILEY: Which is?

21 MR. BRIGIDA: On these interrogatories, I know  
22 some of the dates have changed. If Mr. Glenn could

1 actually change those dates and give me a clean  
2 copy.

3 MR. BRIGIDA: Could you do that?

4 MR. TONY GLENN: Sure.

5 JUDGE RILEY: Could you fax him or mail to him  
6 a clean copy --

7 MR. TONY GLENN: Sure.

8 JUDGE RILEY: -- with the corrected dates?

9 MR. TONY GLENN: Correct.

10 And those corrected dates were from  
11 January 1990 through '93, July, right?

12 JUDGE RILEY: With regard to the Kenmore  
13 address.

14 MR. TONY GLENN: Correct.

15 JUDGE RILEY: For all the -- all the requests  
16 for Kenmore.

17 MR. TONY GLENN: And then November 1st, '95  
18 through September 1997 was for the Spaulding  
19 address.

20 JUDGE RILEY: Right, but those are correct on  
21 here.

22 MR. TONY GLENN: Yes.

1 JUDGE RILEY: So, the only ones that have to be  
2 changed are the ones for the Kenmore address.

3 MR. TONY GLENN: Yeah.

4 JUDGE RILEY: Okay. All right.

5 So Friday, March 28th, is taken care of.  
6 I have set March -- excuse me. Strike that.

7 I have set May 2nd, end of business, the  
8 close of business --

9 MR. TONY GLENN: Okay.

10 JUDGE RILEY: -- as a deadline for your  
11 completed responses to Peoples Gas' data requests.

12 MR. TONY GLENN: Okay.

13 JUDGE RILEY: And that's an absolute deadline.

14 MR. TONY GLENN: Okay.

15 JUDGE RILEY: But please, please inform us --

16 MR. TONY GLENN: Okay.

17 JUDGE RILEY: -- of any difficulties you may be  
18 having --

19 MR. TONY GLENN: Okay.

20 JUDGE RILEY: -- in the meantime.

21 MR. TONY GLENN: Okay.

22 MR. BRIGIDA: And if we can provide any

1 suggestions to expedite --

2 MR. TONY GLENN: Okay.

3 MR. BRIGIDA: -- we'll do so.

4 MR. TONY GLENN: All right.

5 JUDGE RILEY: And then I have set May 22nd at

6 10:00 a.m. -- that's a Thursday -- for hearing.

7 And, again, that's an absolute date. I will not --

8 if we need to conduct statuses prior to that time,

9 that can be arranged. There will be no more

10 continuances for the hearing. We will go to

11 hearing on May 22 (sic). That's an absolute --

12 that's a firm date. That's absolute.

13 MR. TONY GLENN: Okay. Okay.

14 JUDGE RILEY: All right?

15 MR. TONY GLENN: Okay. All right.

16 JUDGE RILEY: All right.

17 Thank you very much, gentlemen. We'll

18 talk next Friday.

19 (Whereupon, said hearing was

20 continued to March 28, 2003

21 at 10:00 a.m.)

22